

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

WSOU INVESTMENTS LLC D/B/A
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

ZTE CORPORATION,

Defendant.

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§ C.A. NO. 6:20-cv-00487-ADA

§ C.A. NO. 6:20-cv-00488-ADA

§ C.A. NO. 6:20-cv-00489-ADA

§ C.A. NO. 6:20-cv-00490-ADA

§ C.A. NO. 6:20-cv-00491-ADA

§ C.A. NO. 6:20-cv-00492-ADA

§ C.A. NO. 6:20-cv-00493-ADA

§ C.A. NO. 6:20-cv-00494-ADA

§ C.A. NO. 6:20-cv-00495-ADA

§ C.A. NO. 6:20-cv-00496-ADA

§ C.A. NO. 6:20-cv-00497-ADA

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§ JURY TRIAL DEMANDED

§

**DECLARATION IN SUPPORT OF DEFENDANT’S OMNIBUS REPLY IN SUPPORT
OF ITS OPPOSED OMBNIBUS MOTION TO DISMISS FOR LACK OF SUBJECT
MATTER JURISDICTION UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)(1)
AND MOTION FOR RELIEF UNDER RULE 37**

**INDEX OF NON-CONFIDENTIAL EXHIBITS TO DEFENDANT’S REPLY FILED
UNDER SEAL**

I, Lionel M. Lavenue, declare as follows:

1. I am an attorney with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, counsel of record for Defendant ZTE Corporation (“ZTE,” or “Defendant”) in the above-captioned matters. I submit this declaration in support of Defendant’s Motion to Dismiss Plaintiff’s WSOU Investments LLC d/b/a Brazos Licensing and Development (“WSOU”) Amended Complaint for lack of standing. I have personal knowledge of the facts set forth in this declaration, and, if called to do so, I could and would competently testify thereto.

2. The following exhibits are hereby being publicly filed as exhibits to the above-referenced sealed motions (and the remaining exhibits nos. 1, 15-17, 21, 23, 26, 28-30, 33, and 34 were filed under seal):

- a. Ex. 2 - USPTO Patent Assignment History of the ’960 Patent
- b. Ex. 3 - USPTO Patent Assignment History of the ’905 Patent
- c. Ex. 4 - USPTO Patent Assignment History of the ’060 Patent
- d. Ex. 5- USPTO Patent Assignment History of the ’036 Patent
- e. Ex. 6 - USPTO Patent Assignment History of the ’534 Patent
- f. Ex. 7 - USPTO Patent Assignment History of the ’839 Patent
- g. Ex. 8 - USPTO Patent Assignment History of the ’929 Patent
- h. Ex. 9 - USPTO Patent Assignment History of the ’240 Patent
- i. Ex. 10 - USPTO Patent Assignment History of the ’071 Patent
- j. Ex. 11 - USPTO Patent Assignment History of the ’232 Patent
- k. Ex. 12 - USPTO Patent Assignment History of the ’505 Patent

- l. Ex. 13 - Assignment (USPTO Reel/Frame 04400/0053) obtained from USPTO <https://assignmentuspto.gov/> (“Amended Schedule B1”)
- m. Ex. 14 - Assignment (USPTO Reel/Frame 043953/0822) obtained from USPTO <https://assignmentuspto.gov/> (“Amended Schedule B3”)
- n. Ex. 18 - Assignment (USPTO Reel/Frame 045085/0001) obtained from USPTO <https://assignmentuspto.gov/> (“Schedule G1”)
- o. Ex. 19 - Assignment (USPTO Reel/Frame 045089/0972) obtained from USPTO <https://assignmentuspto.gov/> (“Schedule G2”)
- p. Ex. 20 - Assignment (USPTO Reel/Frame 045084/0282) obtained from USPTO <https://assignmentuspto.gov/> (“Schedule G5”)
- q. Ex. 22 - Black’s Law Dictionary (11th ed. 2019) (defining “void”)
- r. Ex. 24 - Docket Navigator Report on WSOU
- s. Ex. 25 - FTC Study: Patent Assertion Entity Activity
- t. Ex. 27 - Defendant’s First Set Requests for Production (Nos. 1-70)
- u. Ex. 31 – Copy of Exhibit “Y” submitted in the *Cisco* case, Case No. 6:21-cv-00128-ADA as 95-2, filed August 1, 2022.
- v. Ex. 32 – Copy of Exhibit “Z” submitted in the *Cisco* case, Case No. 6:21-cv-00128-ADA as 95-3, filed August 1, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on August 15, 2022 at Reston, Virginia.

DATED: August 15, 2022

Respectfully submitted,

/s/Lionel M. Lavenue

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